

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 20247 of 2007(I)

PETITIONER:

NIMI ANTONY, H.S.S.T. POLITICAL SCIENCE,
GOVERNMENT HIGHER SECONDARY SCHOOL,
THRIKKODITHANAM.

BY ADV. SRI.J.JULIAN XAVIER
SRI.FIROZ K.ROBIN

RESPONDENTS:

1. THE DIRECTOR, DIRECTORATE OF HIGHER
SECONDARY EDUCATION, THIRUVANANTHAPURAM.
2. THE PRINCIPAL, GOVERNMENT HIGHER
SECONDARY SCHOOL, PALA,
3. BIVIN SINGH L., GOVT. H.S.S.KUMARAKOM,
NOW UNDER ORDERS OF TRANSFER TO GOVT.H.S.S.PALA.
4. KANAKAMMA K.K., GOVT.H.S.S.PANAMATTOM,
NOW UNDER ORDERS OF TRANSFER TO
GOVT.H.S.S, KANAKARY.

BY SR. GOVT. PLEADER SRI.T.T. MUHAMOOD
ADV. SRI.T.MADHU
SRI.SAJI JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1. COPY OF THE ORDER DT. 18.7.06 ISSUED BY THE 1ST RESPONDENT
- EXT.P2. COPY OF THE MEDICAL CERTIFICATE ISSUED BY THE AMRITA INSTITUTE OF MEDICAL SCIENCE HEALTH CARE, EDUCATION AND RESEARCH
- EXT.P2(a). COPY OF THE DISCHARGE SUMMARY ISSUED FROM THE AMRITA INSTITUTE OF MEDICAL SCIENCE HEALTH CARE, EDUCATIION AND RESEARCH
- EXT.P3. COPY OF THE REPRESENTATION DT. 9.11.06
- EXT.P4. COPY OF THE REMINDER ADDRESSED TO THE 1ST RESPONDENT
- EXT.P5. COPY OF THE APPLICATION DT. 12.2.07
- EXT.P5(a). COPY OF THE COVERING LETTER FORWARDING EXT.P5
- EXT.P6. COPY OF THE TRANSFER ORDER DT. 22.6.07
- EXT.P7. COPY OF THE REPRESENTATION DT. 28.6.07

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 20247 OF 2007

Dated this the 11th day of July, 2007

J U D G M E N T

Petitioner is now working as Higher Secondary School Teacher (Political Science) in Government Higher Secondary School at Thrikkodithanam. He was shifted to the present station from Palai in July 2006, as revealed from Ext.P1. After assuming charge at Thrikkodithanam, petitioner had submitted Exts. P3 to P5 representations before respondent No.1 requesting for a re-transfer to Pala. In the alternative it was requested by her that she may be accommodated in any one of the four stations of her choice. She had stated various reasons for the above request.

2. The grievance of the petitioner is that overlooking the specific plea made by the petitioner, respondent No.1 has now issued Ext.P6 order whereby respondents 3 and 4 have been accommodated in two of the stations of her choice, namely Pala and Kanakkary respectively.

3. Learned Government Pleader after getting instructions submits that Ext.P6 has been issued after considering the relevant rules and therefore the grievance of the petitioner is ill-founded. Anyhow, in view of the intervening developments it is not necessary for me to go into the merit of

the various contentions raised by the petitioner at this stage.

4. On a direction issued by this court to find out as to whether petitioner can be accommodated in any of the two remaining stations of her choice, it is submitted by the learned Government Pleader that there is a vacancy in Government Higher Secondary School at Vaikom. Learned counsel submits that the petitioner is prepared to accept the offer and join duty in that school.

The writ petition is disposed of with a direction to respondent No.1 to issue an order of transfer and posting to the petitioner in Govt. Higher Secondary School, Vaikom, if there is no other legal impediment. Appropriate orders in this regard shall be issued, as expeditiously as possible, at any rate, within two weeks from the date of receipt of a copy of this judgment. It will be open to the petitioner to pursue her request for a re-transfer to Pala. If such a request is made, it shall be considered by respondent No.1 appropriately.

A.K. BASHEER, JUDGE

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JUDGMENT

1ST MARCH, 2007